

ADDENDUM TO  
RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

[REDACTED]  
[REDACTED]

DOCKET NUMBER: 97-02663

DEC 4 1998

COUNSEL: NONE

HEARING DESIRED: No

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RESUME OF CASE:

In an application dated 21 January 1997, applicant requested that his effective date of promotion to the grade of Senior Master Sergeant be changed to reflect that he was promoted during cycle 94S8. On 17 July 1997, the Board considered and granted applicant's request (AFBCMR Docket Number 97-00275). A complete copy of the Record of Proceedings (ROP) is attached at Exhibit E.

Applicant submitted another application dated 29 August 1997, requesting direct promotion to the grade of Chief Master Sergeant effective during the 95E9 promotion cycle.

On 10 February 1998, the Board considered and denied applicant's request on the basis that insufficient evidence of either an error **or** an injustice had been presented which warranted corrective action. A complete copy of the ROP is attached at Exhibit F.

Applicant has submitted additional documentation and requested reconsideration of his application (Exhibit G). Applicant's case has been reopened at this time to consider this issue.

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AIR FORCE EVALUATION:

The Chief, Inquiries/BCMR Section, AFPC/DPPPW, reviewed the request and recommends denial of direct promotion to the grade of senior master sergeant. They state that when they wrote their 19 September 1997 advisory indicating that applicant could be provided supplemental promotion consideration, it was with the understanding that he had a USAF Supervisory Examination (USAFSE) score. They failed to recognize that applicant had a projected date of retirement of 1 November 1997. As stated in their 16 April 1998 letter to applicant, without a USAFSE test score, supplemental promotion consideration could not be provided. The total weighted score (to include the USAFSE) is subtracted from the cutoff score required for selection to determine what board score is needed to be selected by the original board. The cutoff score required for selection is comprised of both a weighted score and a board score. This board score is then used to

determine which six benchmark records are used as a basis of comparison. Since applicant voluntarily retired 1 November 1997 and had not taken the USAFSE required for Chief Master Sergeant, supplemental consideration could not be provided. Since applicant requested his DEROS be curtailed from January 1998 to November 1997 and voluntarily retired effective 1 November 1997, he was not eligible for promotion consideration during cycle 97E9. Testing for this cycle was done in August 1997, selections completed 31 October 1997, with promotions effective January 1998 through December 1998. Had he been eligible, his USAFSE score from the 97E9 cycle would have been applied retroactively to the 9539 and 9639 cycles and he would have been provided supplemental consideration on 4 May 1998.

While the applicant claims his record was above the average selectee in every category, this is merely speculation. There is no way of knowing at this point how a promotion board would have evaluated his record. They cannot determine now if he would have been selected for either the 9539 or 96E9 cycles. If he had been selected for the 95E9 cycle, he would have received a sequence number which would have been incremented on 1 November 1996; if selected during 96E9, he would have received a number incremented on 1 October 1997. Since he retired on 1 November 1997, he would not have satisfied the two year active duty service commitment (ADSC) required for promotion to the top three grades, if selected for either cycle.

A complete copy of the evaluation is attached at Exhibit H.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant reviewed the Air Force evaluation and states that while it is true that he was ineligible for promotion consideration during cycle 9737, his request is to be considered by cycle 95E9, a cycle for which he was eligible, but for which he was not given the opportunity to compete. He was made eligible for cycles 95E9 and 96E9 due to a change in his promotion effective date to senior master sergeant being adjusted. His records that would have been reviewed by the those promotion boards would have been superior in nearly every category considered. During the same time frame, a promotion board looked at his records and rated them in the top one percent of the career field to senior master sergeant. During that time, the promotion rate to chief master sergeant was 18 percent. He believes that in his case there was a clear injustice which is the purpose of the "Correction to Military Records" to correct.

Applicant's complete response is attached at Exhibit J.

THE BOARD CONCLUDES THAT:

Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. After thoroughly reviewing the evidence of record, we are not persuaded that applicant should be promoted to the grade of chief master sergeant through the correction of records process. In summary, based on applicant's original date of rank to senior master sergeant, the first time he would have been eligible to test for chief master sergeant was during cycle 9739; however, since he had an established date of retirement of 1 November 1997, he was ineligible to test for this cycle. The Air Force Personnel Center advised the Board that should applicant's date of rank be adjusted to 1 January 1994, he would be eligible for supplemental promotion consideration, but they did not take into account his established date of retirement. Therefore, when the Board recommended the adjustment of his DOR to 1 January 1994, he became eligible for supplemental promotion consideration for cycles 9539 and 96E9. However, since he was ineligible for promotion consideration for cycle 9739, he never took the requisite USAFSE. Without this test, the Air Force could not provide him supplemental promotion consideration as they had indicated they would since there was no USAFSE test score available to be applied retroactively to cycles 95E9 and 9639. While applicant is entitled to feel that this is unfair, by the same token, he virtually tied the Air Force's hands to provide him supplemental promotion consideration. In this respect, he was not required to retire, however, he voluntarily chose to retire in November 1997, well before his high year of tenure. The evidence is indisputable, he never tested for chief master sergeant and yet he wants the Board to promote him. Although he contends that his record is above the average selectee, this is merely his opinion. Without clear-cut evidence that he would have been a selectee, we find no basis upon which to grant his request. While it is unfortunate that he will be unable to be considered for supplemental promotion to the grade of chief master sergeant, this Board is keenly aware of the stiff competition there is for this grade and simply because applicant was selected for promotion to the grade of senior master sergeant, that is no guarantee he would have been selected for the next higher grade.

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered this application in Executive Session on 29 September 1998, under the provisions of AFI 36-2603:

Mr. Michael P. Higgins, Panel Chair  
Mr. Richard A. Peterson, Member  
Mr. Terry A. Yonkers, Member

The following documentary evidence was considered:

- Exhibit E. ROP, dated 12 Aug 97, w/atchs.
- Exhibit F. ROP, dated 6 Mar 98, w/atchs.
- Exhibit G. Applicant's Letter, dated 2 Jun 98.
- Exhibit H. Letter, AFPC/DPPPW, dated 7 Aug 98.
- Exhibit I. Letter, AFBCMR, dated 24 Aug 98
- Exhibit J. Applicant's response, dated, 25 Aug 98.

  
MICHAEL P. HIGGINS  
Panel Chair